

**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

IN THE MATTER OF:

STEPHEN W. LAWRENCE

RESPONDENT

**) DIVISION OF WATER
) POLLUTION CONTROL**

**) RECEIVED
) SEP 25 2007**

**) DEPT OF ENVIRONMENT AND CONSERVATION
) CASE NO. WPC 0121
) OFFICE OF GENERAL COUNSEL**

APPEAL FROM DIRECTOR'S ORDER AND ASSESSMENT

Comes the Respondent, Stephen W. Lawrence, by and through counsel, and appeals the Director's Order and Assessment in this matter, dated August 21, 2007, and served upon Respondent via certified mail on August 27th, 2007. Respondent requests a hearing before the Water Quality Control Board.

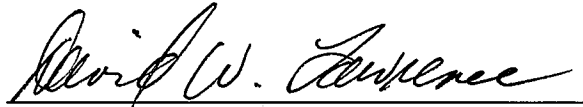
The basis for Respondent's Appeal in part is that the impoundment did not impound jurisdictional waters and therefore no Aquatic Resource Alteration Permit was required. In the alternative, removal of the impoundment would cause more environmental harm than leaving it in place.

The Respondent also contests the jurisdiction of the State as to the remaining allegations in the Order.

Respondent reserves the right to amend his response as additional information becomes available, through discovery, or otherwise.

Dated this 25th day of September, 2007.

Respectfully submitted,



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*Attorney for Respondent, Stephen W.
Lawrence*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Appeal has been hand-delivered to Tennessee Department of Environment and Conservation, Office of General Counsel, 20th Floor, L & C Tower, Nashville, TN, 37343, on this the 25th day of September, 2007.



David W. Lawrence